

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA	)	
	)	
Plaintiff,	)	
	)	
	)	
THE AMERICAN WATERWAYS	)	CIVIL ACTION NO.
OPERATORS, ET AL	)	05-10112-DPW
	)	
Intervenor-Plaintiffs,	)	
	)	
v.	)	
	)	
COMMONWEALTH OF	)	
MASSACHUSETTS, ET AL	)	
	)	
Defendants,	)	
	)	
COALITION FOR BUZZARDS BAY	)	
	)	
Intervenor-Defendant.	)	

JUDGMENT AND PERMANENT INJUNCTION  
March 31, 2010

In accordance with the Memorandum and Order of March 31, 2010 adopting the Reports and Recommendations of July 29, 2009 and June 6, 2008 finding the Commonwealth of Massachusetts preempted from enforcing both the manning requirements for tank vessels set forth in Massachusetts General Law ("M.G.L.") c. 21M, §§ 4(a) and 4(b) and the tugboat escort requirements for certain vessels set forth in M.G.L. c. 21M §§ 6(a) and 6(b), as applied to Buzzards Bay, judgment is ordered for the plaintiff United States, and

IT IS ORDERED that pursuant to Fed. R. Civ. P. 65, all officers, agents, servants, employees, and attorneys of the Commonwealth of Massachusetts are enjoined from enforcing the manning requirements for tank vessels set forth in M.G.L. §§ 4(a) and 4(b) and the tugboat escort requirements for certain vessels set forth in M.G.L. §§ 6(a) and 6(b), as applied to Buzzards Bay.

This injunction does not apply to any waters other than Buzzards Bay. For purposes of this Order, Buzzards Bay shall mean the geographical boundaries defined at 72 Fed. Reg. 50,052, 50,059 col. 1 (Aug. 30, 2007) (adding 33 C.F.R. § 165.100(d)(5)(I) (defining "Buzzards Bay"))).

/s/ Douglas P. Woodlock  
DOUGLAS P. WOODLOCK  
UNITED STATES DISTRICT JUDGE